

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES ATM,
Plaintiff

v.

LUKE BRUGNARA,
Defendant

FILED

JUN -2 2015

Judge William Alsup
CR-14-0306 WHA

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMERGENCY MOTION FOR
BAIL; DECLARATION OF
LUKE BRUGNARA

Defendant, Luke Brugnara ("Luke") motions this Court to release him to Sea Cliff on reasonable bail conditions (ankle GPS bracelet, \$1 million dollar secured bond) pending adjudication of the Motion For New Trial and/or sentencing, based upon the continued intentional movement of Luke separating him from his 85,000 pages of legal documents in this instant matter; and based upon the witnesses' testimony at the trial in this instant matter as to the low pecuniary value of the "art"; and Luke's stable position in San Francisco with his wife and four children.

Luke was granted POST-CONVICTION bail, and "OR" bail

in CR-08-0222 WHA whereas Luke complied and self-surrendered cross-country. The sentencing exposure in CR-08-0222 WHA exceeded the exposure in this instant matter, yet Luke had "OR" bail.

The trial evidence and witnesses affirmed that Luke is solidly grounded in San Francisco with his wife of 20+ years, Kay, and his four children, Briana (11), Lauren (14), Vinny (16) and Luke II (18). Luke does not travel, nor does he even own a passport. In short Luke is not a flight risk as he is committed to his children and family; moreover Luke's wife will post a \$1 million dollar secured bond and be his surety; Luke will also wear a GPS ankle monitor.

Luke has been AGAIN inexplicably moved to SF Jail which does not allow Luke a cell or access to his legal documents in this case (20 banker boxes, 85,000 pages), which Luke is legally entitled to have. This Court has previously ruled correctly that Luke must have access to his legal paperwork and SF Jail cannot accommodate Luke's needs. This Court is aware (see pending motions for New Trial) of what Alameda County

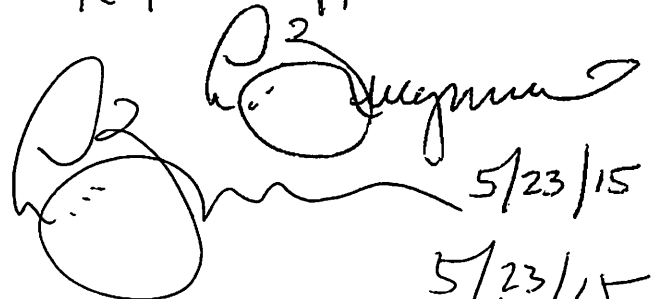
3.

has done MIDTRIAL to Luke and his documents (and the pretrial abuse); now the "shenanigans" continue to Luke's extreme prejudice in these post-trial motions to set a New Trial and preparation of other post-trial motions, without access to legal paperwork or any documents, in violation of Luke's rights.

The trial's witnesses and evidence seen by this Court from the top auction houses in the world showed that the "art" in this instant matter has little pecuniary value. The sentencing guidelines are a consideration in post-trial bail.

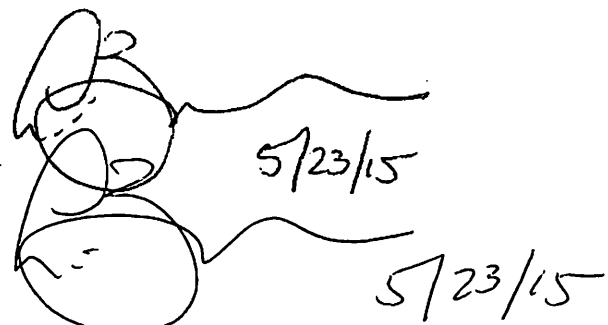
For all of the aforementioned reasons, and in the interests of justice, Luke requests this Court grant bail under the conditions detailed herein.

Respectfully,

 5/23/15

DECLARATION

I, Luke Brugnara, declare under penalty the foregoing to be true and correct.

 5/23/15